

# **TERMINAL DISCLAIMER TO OBVIATE A DOUBLE PATENTING REJECTION OVER A "PRIOR" PATENT**

Docket  
Number

Q77575

In re Application of: Yung-lyul LEE, et al.

Application No.: 10/669,729

Filed: September 25, 2003

For: SIGNAL ADAPTIVE FILTERING METHOD, SIGNAL ADAPTIVE FILTER AND COMPUTER  
READABLE MEDIUM FOR STORING PROGRAM THEREFOR

The owner\*, SAMSUNG ELECTRONICS CO., LTD., of 100 percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application which would extend beyond the expiration date of the full statutory term of **prior patent** No. 5,974,197 as the term of said **prior patent** is defined in 35 U.S.C. 154 and 173, and as the term of said **prior patent** is presently shortened by any terminal disclaimer. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the **prior patent** are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of the term of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 and 173 of the **prior patent**, "as the term of said **prior patent** is presently shortened by any terminal disclaimer," in the event that said **prior patent** later:


expires for failure to pay a maintenance fee;  
is held unenforceable;  
is found invalid by a court of competent jurisdiction;  
is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321;  
has all claims canceled by a reexamination certificate;  
is reissued; or  
is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

Check either box 1 or 2 below, if appropriate.

1. ☐ For submissions on behalf of a business/organization (e.g., corporation, partnership, university, government agency, etc.), the undersigned is empowered to act on behalf of the business/organization.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

2. ☒ The undersigned is an attorney or agent of record.

  
\_\_\_\_\_  
Signature

October 28, 2008

\_\_\_\_\_  
Date

Abraham J. Rosner  
\_\_\_\_\_  
Typed or printed name

33,276

\_\_\_\_\_  
Reg No.

202-293-7060

\_\_\_\_\_  
Telephone Number

- ☐ Authorization to charge Terminal disclaimer fee under 37 CFR 1.20(d) to Deposit Account No. 19-4880 is included.

\*Statement under 37 CFR 3.73(b) is required if terminal disclaimer is signed by the assignee (owner).  
Form PTO/SB/96 may be used for making this certification. See MPEP § 324.

**PATENT APPLICATION**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of

Docket No: Q77575

Yung-lyul LEE, et al.

Application. No.: 10/669,729

Group Art Unit: 2621

Confirmation No.: 6415

Examiner: Gims S. Philippe

Filed: September 25, 2003

For: SIGNAL ADAPTIVE FILTERING METHOD, SIGNAL ADAPTIVE FILTER AND COMPUTER  
READABLE MEDIUM FOR STORING PROGRAM THEREFOR

**SUBMISSION OF REPLACEMENT TERMINAL DISCLAIMER**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Submitted herewith is a Replacement Terminal Disclaimer in the above-identified Application. The Terminal Disclaimer previously filed on December 21, 2007, was not signed by an attorney listed in the copy of the Declaration filed in the present application. The Declaration filed in the present application is a copy of the Declaration originally filed in the parent application 09/462,805, issued as U.S. Patent No. 6,631,162.

Since the Applicant previously filed a Terminal Disclaimer and is filing a Replacement Terminal Disclaimer, no fee is believed to be necessary, but the USPTO is directed and authorized to charge any required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



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Registration No. 33,276

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WASHINGTON OFFICE  
**23373**  
CUSTOMER NUMBER

Date: October 28, 2008